

Article - Labor and Employment

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§2–104.

(a) (1) There is a Deputy Commissioner of Labor and Industry who shall be appointed by the Commissioner with the approval of the Secretary.

(2) The Deputy Commissioner is in the management service in the State Personnel Management System and serves at the pleasure of the Commissioner.

(3) The Deputy Commissioner is entitled to the salary provided in the State budget.

(4) In addition to any powers and duties set forth elsewhere, the Deputy Commissioner has the powers and duties of the Commissioner:

(i) to the extent delegated by the Commissioner;

(ii) if the office of the Commissioner is vacant; or

(iii) if for any reason the Commissioner is absent or unable to perform the duties of office.

(b) (1) The Commissioner shall appoint an Assistant Commissioner for Occupational Safety and Health, subject to the approval of the Secretary.

(2) The Assistant Commissioner is in the management service in the State Personnel Management System and serves at the pleasure of the Commissioner.

(3) The Assistant Commissioner is entitled to the salary provided in the State budget.

(c) (1) The Commissioner shall appoint a Chief Elevator Inspector.

(2) The Chief Elevator Inspector:

(i) is entitled to the salary provided in the State budget; and

(ii) is subject to the provisions of the State Personnel and Pensions Article that govern skilled service employees.

(d) (1) The Commissioner shall appoint a Chief Inspector for Railroad Safety and Health.

(2) The Chief Inspector:

(i) is entitled to the salary provided in the State budget; and

(ii) is subject to the provisions of the State Personnel and Pensions Article that govern skilled service employees.

(e) (1) Subject to the approval of the Governor, the Commissioner may appoint a Chief Mediator who shall be a special appointment in the State Personnel Management System.

(2) The Chief Mediator:

(i) is entitled to the salary provided in the State budget; but

(ii) may not receive additional compensation for serving on a board of arbitration.

(f) (1) The Commissioner shall appoint:

(i) safety inspectors who are qualified and trained in occupational safety; and

(ii) safety inspectors who are qualified technically to inspect amusement rides and amusement attractions, elevators, and worker and material hoists on construction projects and who shall be responsible for those inspections.

(2) Each safety inspector:

(i) is entitled to the salary provided in the State budget; and

(ii) is subject to the provisions of the State Personnel and Pensions Article that govern skilled service employees, with the exception of special appointments.

(g) (1) Subject to the approval of the Governor and the Secretary, the Commissioner may employ, in accordance with the State budget, other staff needed to perform the duties of the Commissioner.

(2) Except as provided in this section or otherwise by law, all other staff is in the skilled service or professional service, with the exception of special appointments, in the State Personnel Management System.

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